

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:	Noriaki Onodera et al.	
Appln. No.:	10/585,472	
Patent No.:	7,828,917	
Filed:	July 6, 2006	
Title:	RAIL MANUFACTURING METHOD	
Examiner:	Deborah Yee	
Group Art:	1793	
Confirmation No.:	5909	

**REQUEST FOR REFUND  
UNDER 37 C.F.R. 1.26**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attn: Refund Section  
Financial Accounting Division  
Office of Finance

Sir:

Pursuant to 37 C.F.R. §1.26, Applicants are entitled to a refund in the amount of \$100.00 for the above-identified application. On July 27, 2011, Applicants filed a Request for Certificate of Correction to correct a claim of priority to a foreign application, along with the \$100.00 U.S. Patent and Trademark Certificate of Correction fee. However, since the error on the issued Patent was made by the U.S. Patent and Trademark Office (as this claim of priority was included in the executed Declaration filed in this application – a copy is enclosed), the Applicant was not obligated to pay the \$100.00 Certificate of Correction fee.

A refund is requested in the amount of \$100.00. The refund may be credited to  
USPTO Deposit Account No. 50-2054.

Respectfully submitted,

Date: July 28, 2011

By: 

Gary Abelev (Reg. No. 40,479)

**DORSEY & WHITNEY LLP**  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	: NORIAKI ONODERA	
Appln. No.	: To be assigned	
Filed	: To be assigned	Group Art Unit: To be determined
Title	: RAIL MANUFACTURING METHOD	Examiner: To be determined

**DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION  
(37 C.F.R. § 1.63)**

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**RAIL MANUFACTURING METHOD**

the specification of which:

☐ is attached hereto OR

☒ was filed on \_\_\_\_\_ as United States Application Number \_\_\_\_\_ or PCT International Application Number \_\_\_\_\_  
PCT/JP2005/000427 filed January 7, 2005 and amended on. \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
P2004-004358	Japan	01/09/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

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I hereby claim the benefit under 35 U.S.C. 120 of any earlier U.S./PCT application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Status (pending, patented, abandoned)

### POWER OF ATTORNEY

I hereby appoint the attorneys associated with Customer No. 30873, of the firm of Dorsey & Whitney LLP with offices at 250 Park Avenue, New York, New York 10177 as attorneys to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation.

PLEASE DIRECT ALL CORRESPONDENCE TO:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Sole or First Inventor:</b>	
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<b>Fifth Inventor:</b>	
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